IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Hirokazu Yamagata et al.	Art Unit	: 1762
Serial No.	: 09/852,090	Examiner	: James Lin
Filed	: May 10, 2001	Conf. No.	: 5147
Title	: A METHOD OF MANUFACTURING A LIGHT EMITTING DEVICE		

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Commissioner for Patents
P.O. Box 1450
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REPLY TO ACTION OF AUGUST 8, 2006

In reply to the Final Office Action of August 8, 2006, applicant submits the following remarks.

Claims 5, 18, 23, 28 and 33 are pending in the application, with claim 5 being independent.

Claims 5, 18 and 23 have been rejected as being unpatentable over Sato (JP 07-142169). Applicant requests reconsideration and withdrawal of this rejection because Sato does not describe or suggest forming a green luminous layer comprising the second luminous material over the red luminous layer by stopping the evaporation of the dopant while continuing the evaporation of the second luminous material, as recited in claim 5.

Recognizing that Sato does not describe this feature, the Examiner asserts that Sato would have led one of ordinary skill in the art to do so because:

> The evaporation of the doped layer must proceed either 1) by stopping the evaporation of the dopant while continuing the evaporation of the host Alq material or 2) by stopping evaporation of both materials and restarting evaporation of the host.

From this, the Examiner asserts that one of ordinary skill in the art would have selected the first option in order to maximize the production rate.

However, this argument by the Examiner assumes that maximizing the production rate would have been desirable, which is not necessarily the case. For example, rather than maximizing the production rate, it may have been more desirable to tightly control the parameters under which the device was formed in order to avoid defects in the device.